

PENDING CLAIMS AS AMENDED

Please amend the claims as follows:

Please cancel claims 1-71 and add new claims 72 – 79.

1 – 71. (Cancelled)

72. (New) A method for communication of data in a communication system utilizing a feedback power control scheme, the method comprising:

transmitting a first frame of data in accordance with a first transport format and at a first power level corresponding to said first transport format;

determining a need to switch transmission transport format from said first format to a second transport format;

transmitting a second frame of data in accordance with said second transport format and at a second power level corresponding to said second transport format prior to receiving a power control feedback from a receiving destination regarding transmission power level of said second frame of data;

wherein said transmitting said second frame of data occurs in a time frame immediately after a time frame used for said transmitting said first frame of data.

73. (New) The method as recited in claim 72, further comprising:
determining said second power level to be higher for a data portion of said second frame of data than said first power level for a data portion of said first frame of data.

74. (New) The method as recited in claim 72, further comprising:
determining said second power level to be the same for a reference portion of said second frame of data and said first power level for a reference portion of said first frame of data.